## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Spiros Liras et al. **Examiner**: Thomas McKenzie

**Serial No:** 10/606,630 Art Unit: 1624

**Filed:** June 26, 2003 **Docket**: 17933ZY(PC10085C)

For: 3,3-BIARYLPIPERIDINE AND 2,2-**Dated:** August 5, 2004

DIARYLMORPHOLINE DERIVATIVES

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## TERMINAL DISCLAIMER

Sir:

Pfizer Inc., the owner of record of whole interest of the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Nos. 6,503,905 and 6,586,431. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior U.S. patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that they later expire for failure to

pay a maintenance fee, are held unenforceable, are found invalid by a court of competent

jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R.

1.321, have all their claims cancelled by a reexamination certificate, are reissued, or are in any

manner terminated prior to the expiration of their full statutory term as presently shortened by

any terminal disclaimer.

The undersigned is an attorney of record.

Peter I. Bernstein

Registration No. 43,497

Dated: August 5, 2004